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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,506	04/06/2001	Owen Lynn	VIRAGE.033A	6821

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EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 07/12/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,506

Applicant(s)

LYNN ET AL.

Examiner

Baoquoc N To

Art Unit

2172

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-21 and 23-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-21 and 23-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 15, 20 and 21 are amended, claim 22 is canceled, and claims 26-31 are newly added. Claims 15-21 and 23-35 are pending in this application.

Response to Arguments

2. Applicant's arguments with respect to claims 15, 20 and 25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15-16, 18-21, 23-24, 26-27, 29-31 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolle et al. (US. Patent No. 6,675,174 B1).

Regarding on claim 15, Bolle teaches a method of video spidering, comprising:

Traversing a set of hyperlinked document by following the hyperlinks from one page to the next so as to identify digital video (col. 9, lines 41-44); and

Storing the index in a repository along with a hyperlinked location identifier associated with the video being indexed (col. 9, lines 60-65).

Although, Bolle does not explicitly teach generating a time-based track which indexes the video. However Bolle teaches "the first aspect is called the index generation phase which builds presentations of the reference temporal media streams, the second phase is called the recognition phase, wherein instances of the known segments in the target stream are recognized" (col. 9, lines 37-41). This the index generation associated to the temporal media stream is the time-based tracks which indexes the video. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the index generation reference to the temporal media stream as taught in Bolle ^{in order to} ~~would~~ reduce the time for search and retrieval process.

Claim 20 is rejected under the same reason as to claim 15, however, Bolle does not explicitly disclose generating time-based metadata tracks though access to the video via the collected video location identifier; On the other hand, Bolle discloses the index generations phase which builds representations of the reference temporal media streams (col. 9, lines 35-40). Unless the applicants specify time-based metadata is, otherwise, the interpretation of time-based index is the temporal index. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the temporal index of Bolle into time-based metadata in order to reduce time for searching and retrieval process.

Regarding on claim 21, Bolle teaches a method of video spidering, comprising:

Spidering a network of linked content so as to locate at least one video (indexing a video) (col. 9, lines 34-48); and

Bolle does not explicitly teach performing maintenance operations on the located video, wherein the maintenance operations include using data information either: (1) reindex a previously located video or (2) index a newly posted video. However, Bolle teaches, "the detection system (recognize phase system) 150 takes as input one or more temporal digital target media sources M 160 stored on media source 190" (col. 9, lines 62-65). This suggests the detection system to detect the new input video segments to be index by the system (col. 9, lines 33-48). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify detecting system to detect the newly added video as taught by Bolle in order to allow the search and retrieval of stored video and newly added video.

Regarding on claim 23, Bolle teaches maintenance operations include identifying previously indexed video which is missing from the video index (col. 9, lines 33-48).

Regarding on claim 24, Bolle teaches the maintenance operations include making integrity checks on the located video (col. 9, lines 30-48).

Regarding on claim 26, Bolle teaches a method of video spidering, comprising:

Traversing a set of hyperlinked documents by following the hyperlinks from one page to the next so as to identify digital video (col. 9, lines 33-48);

Generating a time-base index of the video, wherein the time-based index is generated by determining absolute time of the beginning of the digital video, comprising adding a delta time, the delta time representing the time from the beginning of the digital video to the time when metadata capture begins, to a timecode of the metadata (col. 9, lines 34-67 to col. 10, lines 1-24); and

Bolle does not explicitly teach storing the time-based index in a repository along with a hyperlinked location identifier associated with the video being index. However, Bolle teaches "the search engine is now deployed with the segment index table (T-movie). The target files are transferred from the web sites at the Internet of the computing system that house the search engine" (col. 27, lines 35-54). This suggests that the segment index table is the location identifier, which is able to retrieval the video for the web page. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the segment index table of Bolle to storing the time-based index in a repository along with a hyperlinked location identifier associated with the video being index in order to allow the retrieval of the user's requests.

Regarding on claims 16, 27 and 32, Bolle teaches identifying multiple versions of a video so that it is only indexes one time (col. 29, lines 15-20).

Regarding on claims 18, 29 and 34, Bolle teaches grouping different code versions of the video together (col. 15, lines 45-60).

Regarding on claims 19, 30 and 35, Bolle teaches searching for video content, wherein a corresponding location identifier of the video may be used to invoke a specific coded video player of a site containing the video (col. 27, lines 35-54).

Claim 31 is rejected under the same reason as to claim 26, in addition, Bolle also teaches generating a time-based index of the video, wherein the time-based index identifies a particular frame location of the video and provides immediate non-linear access to any segment of the video (col. 27, lines 35-54).

4. Claims 17, 28 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolle et al. (US. Patent No. 6,675,174 B1) in view of Hui (US. Patent No. 6,654,030 B1).

Regarding on claims 17, 28 and 33, Bolle does not teach parsing out block of script associated with the video; and executing the parsed block of script so as to identify one or more location identifiers corresponding to video segments. However, Hui teaches, "in an XML-based browser that displays a multimedia presentation, a method for processing an XML-based time marker that includes label-based list elements each having items that define a time offset into a multimedia element of the multimedia presentation, said method comprising: parsing the time marker so as to identify each label-based list element; displaying a navigation user interface, with the user interface including labels corresponding to the labels in each list element; maintaining an entry point corresponding to each time offset defined by items in each item in the time marker; displaying the multimedia presentation; and responsive to user selection of one of the labels in the user interface, causing the multimedia presentation to be synchronized to the entry point corresponding to the selected list element, and commencing playback of the multimedia presentation from that entry point" (col. 10, lines 63-67 and col. 11, lines 1-11). This teaches the same functionality of the claimed limitation. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the method of Bolle to include

parsing the timer marker in order to identify the location the multimedia of Hui in order to retrieval the requested hypermedia.

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US. Patent No. 5,875,446) in view of Hui (US. Patent No. 6,654,030 B1).

Regarding on claim 25, Brown teaches a method of video spidering, comprising:
Dynamically identifying at least one video on a network (gather the available objects) (col. 3, lines 35-37);

Accessing content corresponding to the identified video (in order to gather the available objects, the content of object must be accessed) (col. 3, lines 35-37); and

Brown does not explicitly parsing a script associated with the identified video and launching the identified video for playback on a visual display according to the parsed script. However, Brown discloses the system retrieve the hypermedia object (video) by indexes (col. 3, lines 50-57). Missing teaching from Brown are the parsing a script associated with the identified video and launching the identified video for playback on a visual display according to the parsed script. On the other hand Hui teaches, "in an XML-based browser that displays a multimedia presentation, a method for processing an XML-based time marker that includes label-based list elements each having items that define a time offset into a multimedia element of the multimedia presentation, said method comprising: parsing the time marker so as to identify each label-based list element; displaying a navigation user interface, with the user interface including labels corresponding to the labels in each list element; maintaining an entry point

corresponding to each time offset defined by items in each item in the time marker; displaying the multimedia presentation; and responsive to user selection of one of the labels in the user interface, causing the multimedia presentation to be synchronized to the entry point corresponding to the selected list element, and commencing playback of the multimedia presentation from that entry point" (col. 10, lines 63-67 and col. 11, lines 1-11). This teaches the same functionality of the claimed limitation. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the method of Brown to include parsing the timer marker and allowing playback in order to allow the user to playback after the retrieval of the search.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Elenbaas et al.	(US. Patent No. 6,119,123)	Patent date: 09/12/2000
Tonomura et al.	(US. Patent No. 6,571,054 B1)	Patent date: 05/27/2003
Lamming	(US. Patent No. 5,535,063)	Patent date: 07/06/1996
Astle	(US. Patent No. 5,485,611)	Patent date: 01/16/1996

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

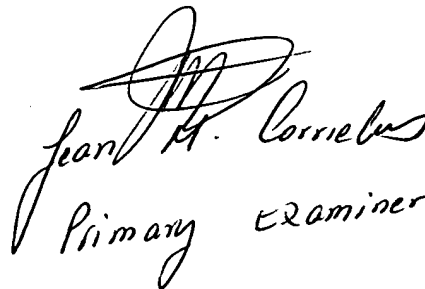
Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:
Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To
June 24, 2004


Jean M. Corrieus
Primary Examiner